

### **III. REMARKS**

1. Claim 21 is amended to address the noted claim objection. Claims 1, 4 and 13 are amended. Claims 22-29 are new.
2. Claims 1-10, 13, and 15-19 are patentable under 35 U.S.C. 103(a) over Andrews (US 5,911,121) in view of White et al. (US 2005/0026643; hereinafter "White"), and Gum (US 6,477,390).

Claim 1 recites identifying a type of said user exchangeable cover part by operating at least one connector pin in an identification state for sensing a value included in a cover type indicator, wherein the at least one connector pin operating in the identification state is a bi-directional and bi-mode signal pin; and after identifying the cover type; operating the at least one connector pin in an operation state for operating the electric circuitry of said user exchangeable cover part based on the identification of the cover type. Applicant's claim 1 explicitly recites that one of the connector pins is operated in an "identification state" and then in an "operation state." This is not disclosed or suggested by the combination of Andrews, White and Gum.

Andrews discloses a selector pin. The particular position of the selector pin is read by the device to determine the appropriate configuration. This is a read only process and there is no data transfer. White only discloses that the access data of the passive data storage device may be an identity code. The identity code stored in this "passive data storage device" enables the mobile phone processor 23 to identify the particular type of fascia. The processor 23 can then control the functionality of the phone. There is no mention here or elsewhere in White regarding data moving in both directions. White only discloses a "data storage device." Data goes in one direction in White, from the passive data storage device to the processor 23. There is no disclosure related to a connector pin that is operated in an "identification state" and then in an "operation state."

The Examiner refers to paragraphs 0039, 0047, 0056 and 0066 as teaching that the interface receives power signal from the cover. Paragraph 0039 discloses that there is a passive storage device 17 that can derive power from the reader unit 15, and when activated, transmit control data stored in its memory.

Paragraph 0047 discloses that the passive data storage device 17 and reader 15 communicate via inductive coupling.

Paragraph 0056 discusses inductively coupling the subsidiary unit 17 to the master unit 15 when the replaceable fascia is fitted to the main body 5 of the phone 1.

Paragraph 0066 discusses how the passive storage device supplies its stored data to the master unit 15.

The Examiner refers to paragraphs 0009, 0062 and 0067 for sending data. Paragraph 0009 discusses types of control data. Paragraph 0062 discusses access data and paragraph 0067 discusses how the passive data storage 54 has a microcontroller to control read out of data from the memory 59.

There is no disclosure in any of these cited paragraphs, or elsewhere in White, of **operating at least one connector pin in an identification state for sensing a value included in a cover type indicator, wherein the at least one connector pin operating in the identification state is a bi-directional and bi-mode signal pin; and after identifying the cover type; operating the at least one connector pin in an operation state for operating the electric circuitry of said user exchangeable cover part based on the identification of the cover type** as claimed by Applicant. Thus, the combination of Andrews and White cannot meet this claim element.

The Examiner also states that Gum discloses the user defined mapping described and claimed by Applicant. Again, this is respectfully traversed. Gum relates to a wireless device that has intuitive audio keypad navigation features. In Gum, "distinctive or

unique audible signals" are assigned to each of the keys. (Col. 4, lines 36-40.) This allows the user to differentiate one key from another. However, while different keys in Gum may have different tones, there is no disclosure here or elsewhere in Gum of "user defined mapping" as claimed by Applicant. Thus, the features of this element are not met by the combination of Andrews, White and Gum.

Therefore, since each of the elements claimed by Applicant are not found in the combination of references, a *prima facie* case of obviousness under 35 U.S.C. §103(a) cannot be established.

For example, Andrews shows the front cover 44 having program selector 60. The detection circuitry 50 is within the phone, located on the PCB 46. (see e.g. FIG. 3.) The PCB 46 contains "all of the circuitry needed for each of the various models." (Col. 3, lines 27-30). White discloses a passive data storage device 17 on the cover. The device contains identification data that tells the phone whether the user has access to certain functions of the phone. [0010] All of the circuitry for the various functions of the phone are within the phone itself. (see e.g. FIG. 1, processor 23) White only discloses that control data may be stored in the passive storage device. This is not the same or the equivalent of being having circuitry within the cover in order to upgrade the phone. Thus, one would not be motivated to combine these references for the purpose referenced by the Examiner, let alone that this alleged "motivation" does not meet the claimed subject matter.

The Examiner also states that it would be obvious to modify Andrews with White not only to have the data going in, but also to transfer data, and because the data storage can operate in a synchronous or asynchronous mode. However, it is respectfully noted that White does not disclose or suggest data being transferred in two directions. The Examiner refers to paragraph [0062] as disclosing this concept. However, all that this section of White discloses is that the access data may be an identity code. The identity code enables the mobile phone processor 23 to identify the particular type of fascia. The processor 23 can then control the functionality of the phone. There is no mention

here or elsewhere in White regarding data moving in both directions. Data goes in one direction in White. From the passive data storage to the processor 23. Thus, one would not be motivated to modify Andrews in view of White to have data transferred in both directions as is being suggested by the Examiner.

Also, while White uses the terms synchronous and asynchronous, this is only with respect to the clock function and does not infer bi-direction as claimed by Applicant. Paragraph [0067] referred to by the Examiner states that with a synchronous passive storage device the "clock signal of the passive data storage 54 is controlled by and so synchronized with the reader microprocessor 51." If the passive data storage device 54 is asynchronous, the clock driver coupled to the junction J1 is replaced with a clock signal generator to generate an independent clock signal. Thus, White does not disclose bi-directional data transfer. Rather, White requires modification of the clock signal depending upon the type of device being used. Thus, White's use of the term asynchronous and synchronous does not imply data transfer as suggested by the Examiner and one would not be motivated to combine these references for that reason, in an effort to meet what is claimed by Applicant.

The Examiner also states that it would be obvious to modify Andrews to have bi-mode to increase flexibility. Given the broad scope and interpretation of the term "flexibility" it is not clear what is meant by that term. With respect to Applicant's claimed subject matter, the application is ambiguous. At most, it might imply and advantage that is unforeseen or realized by Applicant's claimed subject matter. However, an advantage is not a motivation or suggestion to combine references to meet the claimed subject matter. Advantages can only be recognized with hindsight knowledge of the claimed subject matter and are not reasons to combine subject matter to achieve a particular purpose. Thus, it is submitted that "flexibility" is not, and cannot provide the requisite motivation or suggestion to combine references for the purposes of 35 U.S.C. §103(a).

The Examiner states that the pin is nothing more than an interface that connects the cover and the main body of the phone. This position is respectfully traversed. The bi-

directional and bi-mode signal pin claimed by Applicant is used to sense a value included in the cover type indicator in an identification state and to transfer data in an operating state. The cover type indicator pin is used for a frequency mode, PWM mode and a CTI mode. Data is transferred using bi-directional CMOS level PWM-modulated CTI-signal. The connector pin's placement is advantageous in that it prevents copying. Thus, there are distinct and unique advantages with respect to the connector and the bi-directional and bi-mode signal pin as described and claimed by Applicant, which are neither disclosed nor suggested by the combination of cited references.

As noted above, the combination of Andrews, Gum and White does not disclose or suggest each feature of Applicant's claims. Thus, a *prima facie* case of obviousness cannot be established.

There is also no motivation to combine Andrews and White with Gum. First, Andrews, White and Gum cannot be combined for purposes of 35 U.S.C. §103(a) because they are non-analogous art. References can be combined if they are in the same field of endeavor as Applicant's or are pertinent to the problem addressed by Applicant. Andrews is directed to having a selector pin on the housing of a device to enable a specific program configuration in the device when the housing is connected. White is directed to having a passive storage device in a housing that can be used to control the operation of the device. Gum, in a completely different area, relates to a wireless device that has intuitive audio keypad navigation features. In Gum, "distinctive or unique audible signals" are assigned to each of the keys. (Col. 4, lines 36-40.) This allows the user to differentiate one key from another. However, while different keys in Gum may have different tones, there is no disclosure here of "user defined mapping" as claimed by Applicant. Gum also does not discuss or even allude to the use of different covers, exchangeable covers or housings for a phone. The Examiner states it would be obvious to combine Andrews and Gum to have an exchangeable cover and user defined mapping to provide user friendly features in a dark environment or for sight impaired. Respectfully, this is merely speculation and not motivation to combine references to achieve what is claimed by Applicant. Where does the Examiner find support for the

assertion that Applicant's claims are directed to providing an exchangeable cover and user defined mapping to provide user friendly features in a dark environment or for sight impaired? While this might be an unforeseen or realized advantage of one embodiment of what is claimed by Applicant, an unforeseen or realized advantage of what is claimed by Applicant is not "motivation" as required by 35 U.S.C. §103(a). Thus, Gum is not in the same field of endeavor as is the subject matter claimed by Applicant and is not pertinent to the problem addressed by Applicant. Therefore, Gum is not analogous art and cannot be combined with Andrews and White for purposes of 35 U.S.C. §103(a).

Furthermore, the combination of Andrews, White and Gum does not disclose or suggest user defined mapping as claimed by Applicant. Gum merely discloses "unique or distinctive" tones. Col. 6, lines 30-65, especially relied by the Examiner, merely states that keys can have different functions. This is not what is recited by Applicant in the claims. Thus, claim 1 is not obvious in view of Andrews, White and Gum.

Since each of the elements claimed by Applicant cannot be found in the proposed combination of elements, there is no motivation or suggestion to combine the references and, in any case, the references are non-analogous, it is submitted that a *prima facie* case of obviousness over Andrews, Gum and White under 35 U.S.C. 103(a) is not established. Therefore, claims 1-10, 13 and 15-19 should be allowable.

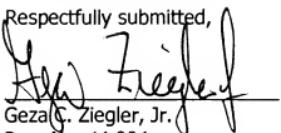
3. Claims 11 and 14 are patentable under 35 U.S.C. 103(a) over Andrews, Gum, White and Zhao (US 2004/0204135). Claims 11 and 14 depend from claim 1 and 13 which for the reasons described above are patentable over the combination of Andrews, Gum and White. It is respectfully submitted that the combination of Andrews, Gum, White and Zhao fails to disclose all the features of Applicant's claim 1 as well. Therefore, claims 11 and 14 are patentable at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record,

and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment of \$400 for the additional claim fees (8 claims @ \$50) together with any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350

Respectfully submitted,

  
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